

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>HARRY WOODY</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	<b>NO. 5: 17-4503</b>
<b>NANCY ANN BERRYHILL</b>	:	

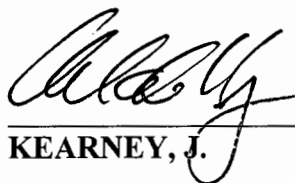
**ORDER**

**AND NOW**, this 1<sup>st</sup> day of October 2018, upon considering Plaintiff's Complaint seeking judicial review of the denial of social security benefits (ECF Doc. No. 1), the Commissioner's Response (ECF Doc. No. 9), Plaintiff's Brief and statement of issues (ECF Doc. No. 11), the Commissioner's Opposition (ECF Doc. No. 12), Plaintiff's Reply (ECF Doc. No. 13), the Report and Recommendation from Magistrate Judge Rice (ECF Doc. No. 15), the Commissioner's Objections (ECF Doc. No. 20), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. We **APPROVE** and **ADOPT in part** Judge Rice's comprehensive Report and Recommendation (ECF Doc. No. 15);
2. Plaintiff's Motion and Request for review (ECF Doc. No. 11) is **GRANTED in part** for remand on a limited issue but otherwise **DENIED**;
3. We **remand** to the Commissioner for further evaluation consistent with the accompanying Memorandum;
4. Under Fed.R.Civ.P. 1 and mindful Mr. Woody applied for benefits five years ago, the Commissioner shall promptly schedule a renewed hearing with an Administrative Law Judge and shall file status memoranda on the progress of resolving Mr. Woody's application for benefits on **December 28, 2018, March 28, 2019** and every sixty days thereafter until resolved

or returned for our further review of the next reasoned decision consistent with the accompanying Memorandum; and,

5. The Clerk of Court shall **close** this case for statistical purposes.

  
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KEARNEY, J.